



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

March 13, 2017

Waiver 17-02-005

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee may not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Khaled Khalafallah is a psychiatrist in the Behavioral Health and Crisis Service division at the Montgomery County Department of Health and Human Services (DHHS). Dr. Khalafallah requests outside employment with MedStar Montgomery Medical Center, an entity which has contracts with DHHS.

In his role with the County, Dr. Khalafallah provides individual therapy and medication management for County residents that seek services at the Crisis Center. For clients that need to continue services with a private provider, other staff in the Crisis Center makes referrals to other health care providers. Dr. Khalafallah does not participate in making referrals to other providers. On occasion where an individual needs to be involuntarily taken to an emergency room, Dr. Kalafallah calls the Montgomery County Police Department, which then makes its own determination as to where to take the individual.

MedStar Montgomery has a grant and a contract with DHHS. Dr. Kalafallah does not participate in managing these arrangements, either on behalf of the County or on behalf of MedStar.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

In reaching this decision, the Commission has relied upon the facts as presented by Dr. Khalafallah.

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For the Commission:



Steven Rosen, Chair